

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 04-00367 WHA

Plaintiff,

v.

**ORDER DENYING  
DEFENDANT'S MOTION FOR  
REDUCTION OF SENTENCE**

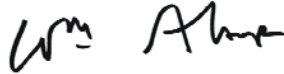
ALVIN NORMAN,

Defendant.

Defendant Alvin Norman filed a pro se motion for reduction of sentence under the amended crack guideline. Because Mr. Norman was sentenced to the 60-month mandatory minimum on the crack count and to a concurrent term of 66 months on a gun count, he is not eligible for relief under the retroactive crack guideline (as stated in Assistant Federal Public Defender Rebecca Silbert's letter, Dkt. No. 31). The motion is therefore **DENIED** and the hearing set for April 22, 2008, is **VACATED**.

**IT IS SO ORDERED.**

Dated: March 13, 2008.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE